

REMARKS

This Amendment and Request for Reconsideration is filed in response to the Office Action of 26 October 2005.

The present Amendment amends claims 19 and 21; no claims have been canceled. The Applicants respectfully submit that no new matter has been entered and that the claim amendments are fully supported in the application as originally filed. The Applicants respectfully request entry of this amendment and reconsideration of the application.

In the Office Action of 26 October 2005, the Examiner rejected claims of the patent application under 35 U.S.C. Sect. 102(e) based on US 2005/0227720 A1 to Gunaratnam et al. In response, the Applicants respectfully disagree and submit that all claims are allowable over the prior art of record for at least the following reasons.

Reasons 1. 35 U.S.C. § 102(e) states in part that “[a] person shall be entitled to a patent unless – (e) The invention was described in – (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent”.

In the present scenario, the Gunaratnam reference has a U.S. filing date of November 12, 2004 and a priority date of November 12, 2003. On the other hand, the present application has a U.S. filing date of February 11 2004 and a priority date of February 13 2003 (PCT CA2003/00210). As apparent, the priority date of the present application is before that of the Gunaratnam reference, which is hard evidence of the invention date of the present application. Therefore, the invention of Gunaratnam was not filed before the invention for patent.

The Applicants direct the attention to the Preliminary Amendment of February 11 2004 which amends the specification to include the PCT priority claim. The receipt of

such Preliminary Amendment by the USPTO has been confirmed through PAIR. The Applicant notes that the front page of the patent publication corresponding to the present application lists such Foreign Application Priority Data; however the published specification fails to include the priority claim in the specification under the “CROSS REFERENCE TO RELATED APPLICATION” section. The Applicants respectfully request the Examiner to confirm entry of such Preliminary Amendment, or instruction to the Applicants on whether to effect a further amendment for such priority claim.

In light of the above, the Gunaratnam reference may not be utilized as a prior art reference under 35 U.S.C. § 102(e) and the Applicants respectfully request the Examiner to withdraw such rejections.

Reasons 2. The Gunaratnam reference may not be used in the 102(e) rejection as noted above. Even if Gunaratnam reference were to be used, however, the rejection still fails.

For rejections under 35 U.S.C. Sects. 102 and 103, the prior art (individually or in combination) must teach or suggest each and every limitation in the claims. Referring specifically to claim 1, for example, the Gunaratnam reference does not teach or suggest the act of “retrieving a plurality of network identifiers corresponding to the plurality of communication networks in accordance with an Enhanced Operator Name String (EONS) protocol”. There is no explicit recitation or teaching of “EONS” in the reference. The Examiner has failed to demonstrate or articulate any such technique. If the Examiner is attempting an inherency argument, the Examiner has failed to articulate any inherency argument as required by the MPEP.

Even further, the reference fails to further teach or suggest the further *manual network selection* steps of “visually displaying the plurality of network identifiers” and “receiving a user input selection of one of the communication networks after visually displaying the plurality of network identifiers”. As described in the present application, “network identifiers” are the *names* of the networks which may be *visually displayed – in contrast* to *network codes* used by the system which the Examiner merely makes

reference to in the Gunaratnam reference. In fact, the teachings of the Gunaratnam reference have little to do with the *displaying of network names or identifications* in a manual network selection technique, but rather the use of network rejection codes in order to expeditiously connect with an appropriate network.

Additional IDS. The Applicants submit contemporaneously herewith an Information Disclosure Statement for further consideration.

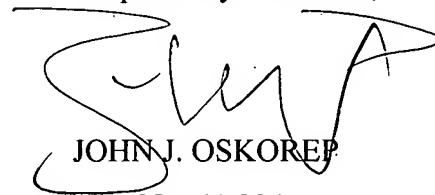
Based on the above, the Applicant respectfully requests the Examiner to withdraw all Section 103 rejections and allow all claims 1-24. The Applicant respectfully submits that the present application is now in a condition suitable for allowance based on the claim amendments and arguments presented herein.

Thank you. The Examiner is welcome to contact the undersigned if necessary to expedite prosecution of the present application.

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12 Jan 2006

Respectfully submitted,



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